

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

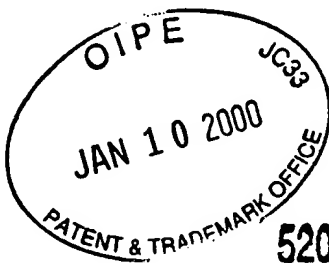
In re Application of:

Ehud Dafni, et al.

Serial No.: 09/380,654

Filed: August 19, 1999

For: REAL-TIME DYNAMIC IMAGE RECONSTRUCTION



520 Rec'd PCT/PTO

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APR 24 2000  
TC 2700 MAIL ROOM  
JAN 2000

January 6, 2000

Asst. Commissioner for Patents  
U.S. Patent and Trademark Office  
Washington, D.C. 20231

RECEIVED

24 MAY 2000

PETITION TO REINSTATE AND/OR REVIVE

Legal Staff  
International Division

S I R :

Applicants hereby petition the Commissioner to reinstate and/or revive the above-referenced patent application. This application has been incorrectly indicated as having been abandoned due to failure to provide the U.S. basic national filing fee.

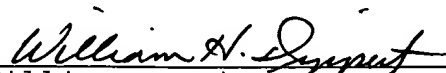
Papers for the above-referenced National Phase application were forwarded to the U.S. Patent and Trademark Office by Express Mail on August 19, 1999. Included with those papers was a two-page transmittal document, a copy of which is enclosed as Exhibit A. The transmittal document indicates that the fee of \$1212.00 is to be charged to the Deposit Account No. 03-3419. According to a Deposit Account Statement dated August 31, 1999, a copy of which is attached hereto as Exhibit B, said account contained in excess of \$20,000.00 as of August 19, 1999.

According to a Notification of Abandonment dated December 6, 1999, a copy of which is enclosed as Exhibit C, the above application was abandoned for failure to provide the U.S. basic national filing fee in timely fashion. Once Applicants' undersigned attorney was finally able last week to speak to Mr. Lamont Hunter, the signatory of said Notification, the apparent clerical error was explained to Mr. Hunter. However, whereas Applicants' undersigned attorney had hoped that this particular situation could be resolved by a telephone call pointing out the apparent clerical error, Mr. Hunter indicated today that the appropriate procedure would be to file a petition.

Applicants respectfully request that the Notification of Abandonment be withdrawn and that the above application be reinstated and/or revived. Since the abandonment is believed to have been the result of an inadvertent Patent Office clerical error, it is not believed that any petition fee is due. However, any petition fee or filing fee, or any other fee germane to reinstating and/or reviving the instant application, should be charged to Deposit Account No. 03-3419.

In addition, it should be noted that a Petition to Correct Filing Date was filed October 21, 1999. No response to said Petition has yet been received.

Respectfully submitted,

  
\_\_\_\_\_  
William H. Dippert  
Reg. No. 26,723

COWAN, LIEBOWITZ & LATMAN, P.C.  
1133 Avenue of the Americas  
New York, NY 10036-6799  
(212) 790-9200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on January 6, 2000

Date of Deposit

William H. Dippert

Attorney

*William H. Dippert*

Signature

January 6, 2000

Date of Signature

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 03-3415.

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

043/01136

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

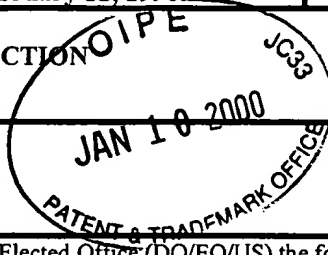
INTERNATIONAL APPLICATION NO.  
PCT/IL98/00074INTERNATIONAL FILING DATE  
February 12, 1998PRIORITY DATE CLAIMED  
February 20, 1997

TITLE OF INVENTION

REAL-TIME DYNAMIC IMAGE RECONSTRUCTION

APPLICANT(S) FOR DO/EO/US

Ehud DAFNI, et al.



Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). (**UNEXECUTED**)
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

## Items 13 to 18 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.  
A **SECOND** or **SUBSEQUENT** preliminary amendment.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☐ Certificate of Mailing by Express Mail
19. ☒ Other items or information:

1. Amendments to the claims of the International Application under PCT Article 34 are transmitted herewith as annexes to the IPER
2. Form PTO-1449 listing the art cited in the PCT International Search Report

U.S. APPLICATION NO. (IF KNOWN, SEE 3:	INTERNATIONAL APPLICATION NO. <b>PCT/IL98/00074</b>	ATTORNEY'S DOCKET NUMBER <b>043/01136</b>
----------------------------------------	--------------------------------------------------------	----------------------------------------------

20. The following fees are submitted: <b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :</b>				<b>CALCULATIONS PTO USE ONLY</b>	
<input checked="" type="checkbox"/> Search Report has been prepared by the EPO or JPO ..... <b>\$930.00</b> <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... <b>\$720.00</b> <input type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... <b>\$790.00</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO ..... <b>\$1,070.00</b> <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... <b>\$98.00</b>					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>					
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).					
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>		
Total claims	32 - 20 =	12	x \$18.00	<b>\$216.00</b>	
Independent claims	5 - 3 =	2	x \$78.00	<b>\$156.00</b>	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,212.00</b>	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>	
<b>SUBTOTAL =</b>				<b>\$1,212.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				<b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$1,212.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$1,212.00</b>	
				<b>Amount to be: refunded</b>	\$
				<b>charged</b>	\$

- ☐ A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.
- ☒ Please charge my Deposit Account No. **03-3419** in the amount of **\$1,212.00** to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **03-3419** A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

William H. Dippert, Esq.  
Cowan, Liebowitz and Latman, P.C.  
1133 Avenue of the Americas  
New York, NY 10036-6799

Tel: (212) 790-9200

*Paul Fenster*

SIGNATURE

Paul FENSTER

NAME

33,877

REGISTRATION NUMBER

August 18, 1999

DATE

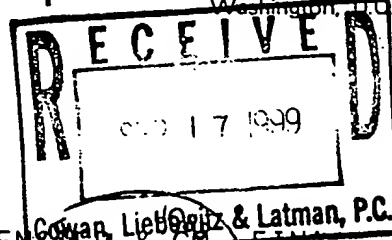


UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

MONTHLY STATEMENT  
OF DEPOSIT ACCOUNT

To replenish your Deposit Account, detach and return top portion with your check. Make check payable to Commissioner of Patents & Trademarks.

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Washington, D.C. 20231



Account No.	033419
Date	8-31-99
Page	1

COWAN, LIEBOWITZ & LATMAN / FENSTER & CO FINA  
WILLIAM H. DIPPERT  
1133 AVENUE OF THE AMERICAS

NEW YORK NY 10036-6799

PLEASE SEND REMITTANCES TO:  
Patent and Trademark Office  
P.O. Box 70541  
Chicago, Ill. 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
8	3	99	151	09319063	017/01042	581	40.00	30960.00
8	5	99	72	09319360	UDH	581	40.00	30920.00
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8	6	99	243	09355720	154/00947	966	324.00	29756.00
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8	10	99	32	09365185	143/01119	203	531.00	25415.00
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8	16	99	238	60081642	044/00260	567	30.00	25306.00
8	17	99	198	09313413	20069-34	105	130.00	25176.00
8	17	99	199	09313413	20069-34	101	760.00	24416.00
8	17	99	200	09313413	20069-34	103	378.00	24038.00
8	17	99	201	09313413	20069-34	102	234.00	23804.00
8	18	99	146	09319063	017/01042	154	130.00	23674.00
8	25	99	117	PCT/IL98/00348	077/00464	190	490.00	23184.00
8	25	99	118	PCT/IL98/00348	077/00464	803	162.00	23022.00
8	26	99	23	09367769	043/01130	970	840.00	22182.00
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8	26	99	26	09367771	043/01133	970	840.00	21066.00
8	26	99	27	09367771	043/01133	966	54.00	21012.00
8	30	99	27	09378871	037/01144	101	760.00	20252.00
8	30	99	28	09378871	037/01144	102	78.00	20174.00
8	30	99	29	09378871	037/01144	103	198.00	19976.00
8	30	99	112	09378871	037/01144	581	40.00	19936.00

AN AMOUNT SUFFICIENT TO  
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OPENING BALANCE  
31000.00

TOTAL CHARGES  
11064.00

TOTAL CREDITS  
0.00

CLOSING BALANCE  
19936.00

\*\*\* O.D. INDICATES OVERDRAWN

09-380654



## UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS

BOX PCT

Washington, D.C. 20231

US APPLICATION NO. 09-380654	DATE FIRST NAMED APPLICANT	E ATTY. DOCKET NO. 01136
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WILLIAM H DIPPERT  
COWAN LIEBOWITZ AND LATMAN  
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NEW YORK, NY 10036-6799

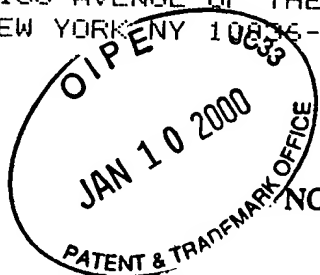
5611

INTERNATIONAL APPLICATION NO. 00074

I.A. FILING DATE 12/98 PRIORITY DATE 12/20/97

12/06/99

DATE MAILED:



## NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as

☐ a Designated Office (37 CFR 1.494), ☒ an Elected Office (37 CFR 1.495), has made the following determination:

- ☐ Applicant's letter of express abandonment received \_\_\_\_\_ is in compliance with 37 CFR 1.138 and is hereby acknowledged.
- ☒ Applicant has failed to provide the full U. S. Basic National Fee by ☐ 20 months (37 CFR 1.494 (b)(2)), ☒ 30 months (37 CFR 1.495 (b)(2)).
- ☐ Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed \_\_\_\_\_ within the time period set therein.
- ☐ Applicant has failed to properly respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed \_\_\_\_\_ within the time period set therein. See the attached NOTIFICATION OF A DEFECTIVE RESPONSE (Form PCT/DO/EO/916).
- ☐ Other:

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR ☐ 1.494, ☒ 1.495 and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

Lamont Hunter  
National Stage Processing  
(703) 305-3886

3686

Telephone: (703)

